



Democratic Services

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**To: COUNCILLOR MARTIN GODDARD
CABINET MEMBER FOR FINANCE**

**COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
& TRANSPORT**

c.c. All Members of the Corporate Resources &
Infrastructure Select Committee
c.c. Nicola Wyatt – Central Services Directorate
c.c. Poonam Pathak – Resources Directorate
c.c. Dan Kennedy – Corporate Director for Central
Services

Date: 23 May 2024

Non-Key Decision request

Form D

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2024/25: Implementation of Electric Vehicle Charging Infrastructure in Hillingdon (CR 1)

Dear Cabinet Member,

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Monday 3 June 2024** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Liz Penny
Democratic Services

Title of Report: NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE
2024/25: Implementation of Electric Vehicle Charging Infrastructure in Hillingdon (CR 1)

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

Signed Date.....

Cabinet Member for Finance / Cabinet Member for Property, Highways & Transport

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2024/25: Implementation of Electric Vehicle Charging Infrastructure in Hillingdon (CR 1)

Cabinet Members	Councillor Martin Goddard Councillor Jonathan Bianco
Cabinet Portfolios	Cabinet Member for Finance Cabinet Member for Property, Highways and Transport
Officer Contact	Nicola Wyatt – Central Services Directorate Poonam Pathak – Resources Directorate
Papers with report	Appendix A – Capital release requests for approval

HEADLINES

Summary	To seek Cabinet Member approval to allocate and release funds from six S106 air quality contributions currently held at case references E/130/418C, E/131/420D, E/133//423C, EA/002/569B/EA/006/573C and EA/008/575D towards the cost of providing EV chargers at selected locations in the Borough, as part of Phase 1 of Hillingdon's Electric Vehicle Infrastructure Programme.
Putting our Residents First Delivering on the Council Strategy 2022-2026	<p>This report supports our ambition for residents / the Council of: Live active and healthy lives.</p> <p>This report supports our commitments to residents of: A Green and Sustainable Borough.</p>
Financial Cost	This report seeks the allocation and release of £53,185 from S106 funds made available from the redevelopment of sites in the London Borough of Hillingdon and detailed within this report towards the scheme outlined in this report.
Relevant Select Committee	Corporate Resources & Infrastructure Select Committee.
Relevant Ward	All

RECOMMENDATIONS

That the Cabinet Member for Finance and Cabinet Member for Property, Highways and Transport:

- 1) Approve the allocation of £53,185 from six S106 air quality contributions held by the Council, to be spent towards the implementation of Phase 1 of Hillingdon's Electric Vehicle Charging Infrastructure Programme.**
- 2) Approve the capital release requesting £53,185 to be used towards the scheme, as outlined in Appendix A to this report.**

Reasons for recommendations

In accordance with the Council's Constitution, the allocation of Section 106 (S106) and Section 278 (S278) funds is required to be formally approved by the Cabinet Member for Finance on a case-by-case basis – and any capital release, in conjunction with the relevant Cabinet portfolio holder. This report requests the approval for the S106 funds held at case references detailed in this report to be committed as outlined in this report.

Alternative options considered

The Cabinet Members may agree to fund the scheme and / or suggest alternative projects to which funds could be allocated within the terms of the relevant legal agreements. If the S106 funds are not allocated to an appropriate scheme, the unspent funds may need to be refunded.

Select Committee comments.

None at this stage.

SUPPORTING INFORMATION

1. Planning obligations, or S106 agreements, are an established mechanism for mitigating planning effects arising from development proposals. The agreements are usually negotiated within the context of planning applications, between local planning authorities and persons with an interest in the piece of land (owners, leaseholders or developers). They are intended to make development acceptable, which would otherwise be unacceptable in planning terms.
2. Any S106 monies generated from planning agreements must be spent on their intended purpose and the associated development contribute to the sustainability of the area by addressing the impacts of the development proposals. As a result, expenditure of S106 funds must relate to a specific development and must be in accordance with the corresponding legal agreements. If a contribution is not used for the intended purpose or not spent within the period allocated in the S106 agreement, the monies may need to be returned.

Cabinet Member Report – 23 May 2024

Classification: Public

Planning Background – developer obligations taken towards the Borough's Air Quality Strategy

3 There are areas of the Borough that suffer from levels of pollution above the national European Union Health Limits. Due to these levels of pollution, and as part of its statutory local air quality management duties, Hillingdon declared an Air Quality Management Area (AQMA) across the bottom two thirds of the Borough and developed an Air Quality Action Plan (AQAP) which includes measures to both monitor and improve local air quality. The AQAP (2019-2024) is now under review, but the current objectives are to:

- a) improve the areas of poorer air quality as soon as possible;*
- b) continue to improve air quality across the Borough and reduce public exposure to air pollution especially for vulnerable groups within our communities such as the young, the old and those already suffering with associated respiratory illnesses.*

4 *The s106 contributions referred to in this report were taken in relation to planning applications located within the AQMA and associated within areas where the air quality is particularly poor. In addition, it was also considered that the developments as proposed would lead to an increase in pollutants or would have an adverse impact on the Council's objectives to improve air quality within the local area.*

5 *In accordance with the Council's Supplementary Planning Document on Planning Obligations 2008, the following obligations may be sought to improve air quality:*

- Use of low emission fuel technology and other measures to minimise emissions;*
- Tree and other planting where directly relevant to mitigating the impact of emissions;*
- Restrictions on certain types of vehicles, improvements to highways junctions to smooth traffic flows;*
- Use of cleaner fuels for energy and heating;*
- Use of combined heat and power and community heating systems where appropriate;*
- Any other appropriate measures to meet the objectives of the Air Quality Action Plan and/or a financial contribution towards the monitoring and implementation of air quality management measures in the Authority's area.*

In some cases, air quality monitoring may be required to ensure these standards can be met and maintained. As such contributions towards the establishment and ongoing maintenance of this may be required if necessary.

Proposed allocation

6 The Council intends to increase its EV charging infrastructure across the Borough. The proposed development of EV charging forms part of an accelerated and effective programme for achieving net zero, as well as contributing to the delivery of LBH Air Quality Action Plan (measure 24 – cleaner transport).

7 The LBH Air Quality Action Plan includes several measures under the Cleaner Transport category. Measure 24 of the plan requires Installation of Ultra-low Emissions Vehicle (ULEV) infrastructure (electric vehicle charging points, rapid electric charging points and hydrogen

refuelling stations) having as its KPI as the number of charging points installed at closure of the Local Action period.

8 Officers are therefore requesting that the air quality contributions listed in table 1 below are allocated and spent towards Phases 1a and 1b of the Council's Electric Vehicle Charging Programme as outlined in this report and which if implemented will contribute towards the delivery of the LBH Air Quality Local Action Plan.

Table 1 - Details of S106 contributions to be allocated.

S106 reference	Planning reference	Amount to be allocated	comments
E/130/418C	20-30 Blyth Road, Hayes 1425/APP/2011/3040	1,080.34	Remaining balance to be used towards initiatives to improve air quality in the Authority's Area including (but not limited to): use of low fuel technology; tree and other planting; restrictions on certain types of vehicles; use of cleaner fuels; use of combined heat & power; environmental management and air quality strategy (see agreement for details). Funds to be spent within 7 years of receipt (May 2025).
E/131/420D	Fmr Kings Arms PH, 109 Coldharbour Lane, Hayes 10954/APP/2011/1997	2,287.59	Funds to be used towards initiatives to improve air quality in the Authority's Area including (but not limited to): use of low fuel technology; tree and other planting; restrictions on certain types of vehicles; use of cleaner fuels; use of combined heat & power; environmental management and air quality strategy (see agreement for details). No time limits.
E/133/423C	1 Nobel Drive, Harlington, Hayes 46214/APP/2014/2827	1,103.73	Funds to be used towards initiatives to improve air quality in the Authority's Area including (but not limited to): use of low fuel technology; tree and other planting; restrictions on certain types of vehicles; use of cleaner fuels; use of combined heat & power; environmental management and air quality strategy (see agreement for details). No time limits.
EA/002/564B	Land at the Cottage in the Wall, Dawley Road, Hayes 3886/APP/2020/3751	19,417.13	Funds received for Hillingdon to deliver its' air quality local action plan and/or supplement specific measures on/along the road network affected by the proposal that reduces vehicle emissions and/or reduces human exposure to pollution levels. Funds to be spent within 7 years of receipt (August 2028)
EA/006/573C	GSK Stockley Park, Iron Bridge Road, West Drayton 39207/APP/2020/2183	24,109.52	Funds received towards initiatives to improve air quality in the Authority's area including use of low fuel technology, tree and other planting, restrictions on certain types of vehicle, use of cleaner fuels, use of combined heat & power, environmental management and air quality strategy. Contribution to be spent within 7 years of receipt (May 2029).
EA/008/575D	Gethceln House, Dawley Road, Hayes 71737/APP/2019/1979	5,186.69	Funds received towards initiatives to improve air quality in the Authority's area including use of low fuel technology, tree and other planting, restrictions on certain types of vehicle, use of cleaner fuels, use of combined heat & power, environmental management and air quality strategy. Contribution to be spent within 7 years of receipt (April 2029).
	TOTAL	53,185.00	

Project Proposal: Implementation of Electric Vehicle Infrastructure Programme in Hillingdon (Phase1)

9 The Electric Vehicle Infrastructure Strategy was agreed by Cabinet in July 2023 to support the Council's commitment to becoming a Green and Sustainable Borough. Increasing EV charging facilities will help to put residents first by delivering much-needed infrastructure to enable greater levels of green mobility across Hillingdon.

10 A competitive tendering procedure was conducted to secure a supplier to help develop and upgrade the EV infrastructure in the Borough and to achieve the vision of the approved strategy. APCOA Parking (UK) Limited ('APCOA') was selected to deliver the contract, with costs to be shared on a 50/50 basis between the Council and supplier.

11 Phase 1 of the Council's Electric Vehicle Infrastructure Programme was approved by the Cabinet Member for Property, Highways and Transport in December 2023. Works include an upgrade to the existing EV charging infrastructure and in addition will increase the number of charging points across the Borough, to meet the demands of its residents. The works comprise.

- Phase 1a – replacement of existing infrastructure with 22 new 11KW units
- Phase 1b – installation of 24 additional units

12 Tables 2 and 3 below detail the proposed locations of the EV units to be provided.

Table 2 - Phase 1a - Replacement of 22 existing EV Units

Car Park Name	Address	Area	No. EVCPs
Botwell Green Car Park	Central Avenue, Hayes, UB3 2LU	Hayes	2
Brandville Road Car Park	Brandville Road, West Drayton, UB7 7LT	West Drayton	2
Fairfield Road Car Park	Fairfield Road, Yiewsley, UB7 8EY	Yiewsley	2
Green Lane Car Park	Green Lane, Northwood, HA6 2GX	Northwood	2
Highgrove Pool Car Park	Hume Way, Ruislip, HA4 8DZ	Ruislip	2
Hillingdon Sports & Leisure Complex	Gatting Way, Uxbridge, UB8 1ES	Uxbridge	2
Pembroke Gardens Car Park	Pembroke Gardens, Ruislip, HA4 8NX	Ruislip Manor	2
Pump Lane Car Park	Pump Lane, Hayes, UB3 3LJ	Hayes	2
Ruislip Lido Willow Lawn Car Park	Reservoir Road, Ruislip, HA4 7TY	Ruislip	6
Total			22

Table 3 - Phase 1b - Installation of 24 additional EV units

Car Park Name	Address	Area	No. EVCPs
Botwell Green Car Park	Central Avenue, Hayes, UB3 2LU	Hayes	2
Brandville Road Car Park	Brandville Road, West Drayton, UB7 7LT	West Drayton	2
Civic Centre Car Park	Cricket Field Road, Uxbridge, UB8 2NZ	Uxbridge	6
Fairfield Road Car Park	Fairfield Road, Yiewsley, UB7 8EY	Yiewsley	2
Green Lane Car Park	Green Lane, Northwood, HA6 2GX	Northwood	2
Hillingdon Sports & Leisure Complex	Gatting Way, Uxbridge, UB8 1ES	Uxbridge	2
Pembroke Gardens Car Park	Pembroke Gardens, Ruislip, HA4 8NX	Ruislip Manor	4
Pump Lane Car Park	Pump Lane, Hayes, UB3 3LJ	Hayes	2
Ruislip Lido Willow Lawn Car Park	Reservoir Road, Ruislip, HA4 7TY	Ruislip	2
Total			24

13 The Council's share of the initial cost of the proposed progression of Phases 1a and 1b of the Electric Vehicle Infrastructure Programme is £48,250. This reflects the 50/50 split and EVCP unit prices within the APCOA contract and incorporates an additional £40,000 of funding for Phase 1a to be contributed by the supplier and the benefit of cost synergies arising as a result of both sub-phases (replacements and new installations) being completed in tandem.

	Total	APCOA	Council
Phase 1a unit costs	£89,650	£44,825	£44,825
Phase 1a APCOA contribution	£0	£40,000	(£40,000)
Phase 1b unit costs	£97,800	£48,900	£48,900
Phase 1b synergies	(£10,750)	(£5,375)	(£5,375)
	£176,700	£128,350	£48,350

The total S106 funding requirement is the total investment share and 10% fees as per Table 4 below:-.

Table 4 - Cost Plan

Description	Amount
Construction Costs – Hillingdon Share	48,350
Project Management Fees	4,835
Total	£53,185

14 Officers are requesting that Hillingdon's share of the costs associated with this phase of the scheme (£48,350 plus project management fees of £4,835), are met from the S106 air quality contributions detailed in Table1 of this report.

Financial Implications

(S106 2024/25 Budget £301k; Previously Released £239k; Capital Released Requested £53k) - Appendix A

The report seeks the allocation and capital release of £53k, from the six S106 contributions as detailed in Table 5 below:-

S106 Funding Reference	Scheme	Amount	Time Limit to Spend
E/130/418C	20-30 Blyth Road, Hayes	1,080.34	May-25
E/131/420D	Fmr Kings Arms PH, 109 Coldharbour Lane, Hayes	2,287.59	N/A
E/133/423C	1 Nobel Drive, Harlington, Hayes	1,103.73	N/A
EA/002/564B	Land at the College in the Wall, Dawley Road, Hayes	19,417.13	Aug-28
EA/006/573C	GSK Stockley Park, Iron Bridge Road, West Drayton	24,109.52	May-29
EA/008/575D	Gethceln House Dawley Road, Hayes	5,186.69	Apr-29
Total S106 Contribution		£53,185	

The S106 funds are to be used towards the implementation of Hillingdon's phase 1 electric vehicle charging infrastructure programme. The cost of the work is based on quotation from APCOA Parking UK Ltd.

The total cost of phase 1 is £177k, which is split on the basis of 50/50 between APCOA and the Council; however, a further discount of £40k was received from APCOA for phase 1, making the Council's share for phase 1 being £48k. The full £48k capital costs including a further 10% for project management fees is to be funded from S106.

In July 2023 Cabinet approved the award of contract to APCOA Parking Uk Ltd for the implementation of the electric vehicle charging infrastructure programme.

The release of £53k will enable the scheme to progress. The proposals meet the conditions stipulated by the developer on the intended use of the S106 contributions.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon residents, service users and communities

The recommendations will enable external funds to be spent to maximum effect to provide viable improvements for the benefit of local communities.

Consultation carried out or required

Consultations will be carried out as part of individual project development.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance concurs with the financial implications above, noting that the proposed phase 1 of the scheme will be funded from Section 106 contributions in accordance with the planning agreements, with no impact on Council resources.

Legal

Legal Services has considered the content of the Section 106 agreements referred to in this report and conclude that the recommendations presented are consistent with the terms of the respective agreement.

Property / Asset Management

There are no Estate or Asset Management implications arising from the recommendations in this report.

Capital Release Protocol

The release of all capital funds, and certain revenue funds, held by the Council is to be made by a formal democratic decision. No expenditure can be placed or committed by officers until this formal approval is given by Democratic Services. Release of funds must be for identified projects only and strictly not for the general release of funds for projects to be identified at a later date. No block releases of capital or funding will be allowed, except if authorised by the Leader of the Council in advance to Corporate Finance. The release of funds will only be made if previous Council, Cabinet or Cabinet Member agreement has been given to the project and only if there is an approved budget.

BACKGROUND PAPERS

Planning Obligations Supplementary Planning Document 2014
Report to Cabinet July 2023 – Hillingdon Electric Vehicle Infrastructure Strategy
Briefing Note: Phase 1 Electric Vehicle Infrastructure Implementation – Cabinet Member Approval
December 2023

Cabinet Member Report – 23 May 2024
Classification: Public

APPENDIX A - CAPITAL RELEASE REQUESTS FOR APPROVAL

S106 Capital Release 2024/25: Electric Vehicle Charging Programme Phase 1a & 1b (CR 1)

Location	Project/ Expenditure Title	Information	Funds Release Sought £000's	Approve	Hold	More Information Required
Various car parks throughout the borough	Electric vehicle Charging Programme	Allocation of S106 air quality funds to upgrade existing EV infrastructure and increase the number of EV charging points across the borough.	53			
Total seeking release			53			
Previously released			239			
Budget			301			
Remaining budget			9			